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Docket 38-21(15757)A

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on 3 Oct, 2001.

Thomas P. McBride
Thomas P. McBride
Reg. No. 32,706

In Re Application of:
Christopher G. Taylor and Yong Huang

Serial No.: 09/386,605

Filed: August 31, 1999

For: NOVEL TRANSGENE ASSAY USING STABLE
AGROBACTERIUM RHIZOGENES TRANSFORMATION

)
)
) Examiner: Andrew Wang
)
) Group Art Unit: 1635
)
)

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

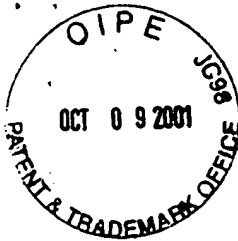
Transmitted herewith are the following documents in the above-identified application.

- X Response to Election/Restriction Requirement under 35 U.S.C. 1.21
- X Change of Correspondence Address
- X Petition for Extension of time under 37 CFR 1.136(a).
- X No additional fee is believed to be required.
- X If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
- X Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

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ELECTION

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Thomas P. McBride
Reg. No. 32,706

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In re the Application of: Christopher G. Taylor and Huang Yong

Serial No:	09/386,604	Group Art Unit:	1635
Filed:	August 31, 1999	Examiner:	Andrew Wang

For: Novel Transgene Assay Using Stable Agrobacterium Rhizogenes Transformation

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT UNDER 35 U.S.C. 1.21

This paper is filed in response to the Office communication dated August 9, 2001. It is respectfully requested that the election below be entered with traverse and that the application be examined on the merits.

Remarks

In the action dated August 9, 2001, the U.S. Patent and Trademark Office required restriction under 35 U.S.C. 121 from among the following groups:

- I. Claims 1-11, drawn to a method of making a transgenic plant, classified in Class 800, subclasses 294.
- II. Claims 12-26, drawn to an assay method using a transgenic plant, classified in Class 435, subclass 6.